

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ARTHUR LENARD AUSTIN,

CASE NO. 3:22-cv-05567-JHC

Plaintiff,

ORDER ADOPTING REPORT AND RECOMMENDATION

V.

JOHN SNAZA,

Defendant.

The Court, having reviewed Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2254, the Report and Recommendation of Michelle L. Peterson, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

- 1) The Report and Recommendation is approved and adopted.
- 2) Petitioner's federal habeas petition (Dkt. # 1) and this action are DISMISSED without prejudice.
- 3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

1 4) The Clerk is directed to send copies of this Order to Petitioner, to Petitioner's
2 mother,¹ and to Judge Peterson.

3 Dated this 4th day of November, 2022.

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5 John H. Chun

6 John H. Chun
7 United States District Judge
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¹ The address for Petitioner's mother can be found at Dkt. # 1-1 at 16.